

ESTTA Tracking number: **ESTTA450240**

Filing date: **01/09/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054520
Party	Plaintiff Feldenkrais Guild of North America
Correspondence Address	MARK K SURI RYNDAK & SURI LLP 200 WEST MADISON STREET , SUITE 2100 CHICAGO, IL 60606 UNITED STATES suri@ryndaksuri.com, docket@ryndaksuri.com
Submission	Motion for Default Judgment
Filer's Name	Mark K. Suri
Filer's e-mail	suri@ryndaksuri.com, docketing@ryndaksuri.com
Signature	/Mark K. Suri/
Date	01/09/2012
Attachments	Motion for Entry of Default Judgment.pdf (3 pages)(24199 bytes) Ex. A-E to Motion for Default.pdf (17 pages)(787495 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

FELDENKRAIS GUILD OF NORTH
AMERICA,

Petitioner,

v.

KIERSTEN MARIE WITT, DBA,
FITNESS INSPIRED, LLC

Registrant.

Cancellation No. 92054520

Registration No. 3,701,308

I hereby certify that this correspondence and all marked
attachments are being electronically filed with the Trademark
Trial and Appeal Board through their web site located at
<http://esta.uspto.gov> on January 9, 2012.

By: /Mark K. Suri/

Registration No. 36024

MOTION FOR ENTRY OF DEFAULT JUDGMENT

Feldenkrais Guild of North America ("FGNA"), Petitioner in this action,
respectfully moves for entry of default judgment against Registrant, Kiersten Marie Witt,
dba, Fitness Inspired, LLC ("Witt"). FGNA respectfully requests that the Court grant its
motion and cancel Registrant's registration. In support of this motion, FGNA states as
follows:

1. On September 16, 2011, FGNA filed this cancellation proceeding. On the same day, FGNA served a copy of the Petition on the owner of record at its address of record, namely, Kiersten Marie Witt, dba, Fitness Inspired, LLC, 401 E. Broomfield, Mount Pleasant, Michigan 48858 by first class U.S. mail. *See Ex. A.*
2. On September 19, 2011, the TTAB also mailed a copy of the petition and the schedule to Registrant. *See Dkt. No. 2.*
3. Petitioner's counsel received notice that its service of the Petition on Registrant was ineffective, as the mailing that it sent to Registrant was unable to be delivered to Registrant's address of record.
4. On October 4, 2011, FGNA notified the Trademark Office of the ineffective service. *See Ex. B.*

Cancellation No. 92054520
Registration No. 3,701,308

5. Also on October 4, 2011, the Trademark Office itself received notice from the Post Office that the service the Trademark Office had attempted on Registrant was ineffective. Specifically, the service copy the Trademark Office sent on September 19, 2011, was returned, with the envelope indicating that the Post Office was unable to deliver the notice to the Registrant's address of record. *See Ex. C.*
6. On November 4, 2011, the Trademark Office suspended proceedings in this matter to have adequate time to effect service by publication in the *Official Gazette*, as prescribed by Trademark Rule 2.118. *See Ex. D.*
7. On November 29, 2011, service was made by publication in the *Official Gazette*. *See Ex. E.* The Registrant had thirty (30) days, namely until December 29, 2011, in which to enter an appearance, respond or otherwise plead in this matter.
8. December 29, 2011 has passed, and Registrant has failed to file any appearance, response or other pleading in this matter.

Accordingly, because the time in which to enter an appearance, respond or otherwise plead in this matter has expired, and because Registrant has filed no appearance, response or other pleading in this matter, Petitioner respectfully requests that the Trademark Office grant this Motion for Entry of Default Judgment and cancel Registration No. 3,701,308.

Dated: January 9, 2012

Respectfully submitted,

FELDENKRAIS GUILD OF NORTH AMERICA

By: /Mark K. Suri/

Mark K. Suri
Registration No. 36024
RYNDAK & SURI LLP
200 West Madison Street
Suite 2100
Chicago, Illinois 60606

Attorney for Petitioner

Cancellation No. 92054520
Registration No. 3,701,308

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2012, I served a copy of the foregoing
MOTION FOR ENTRY OF DEFAULT JUDGMENT upon Registrant by first class
U.S. Mail, postage prepaid thereon, and addressed to Registrant as follows:

Kiersten Marie Witt
DBA Fitness Inspired LLC
401 E. Broomfield
Mount Pleasant MI 48858

/Mark K. Suri/
Mark K. Suri

ESTTA Tracking number: **ESTTA430972**

Filing date: **09/16/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Feldenkrais Guild of North America		
Entity	Corporation	Citizenship	Oregon
Address	5436 N. Albina Avenue Portland, OR 97217 UNITED STATES		

Attorney information	Mark K. Suri Ryndak & Suri LLP 200 West Madison Street Suite 2100 Chicago, IL 60606 UNITED STATES suri@ryndaksuri.com, docket@ryndaksuri.com Phone:312-214-7770
----------------------	--

Registration Subject to Cancellation

Registration No	3701308	Registration date	10/27/2009
Registrant	Witt, Kiersten, Marie 401 E Broomfield Mount Pleasant, MI 48858 UNITED STATES		

Goods/Services Subject to Cancellation


Class 041. First Use: 2008/06/01 First Use In Commerce: 2008/07/17 All goods and services in the class are cancelled, namely: Providing a web site featuring information on exercise and fitness; Providing assistance, personal training and physical fitness consultation to individuals to help them make physical fitness, strength, conditioning, and exercise improvement in their daily living; Providing educational mentoring services and programs in the field of fitness, wellness, and healthy eating; Providing information in the field of exercise training
--

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	85199807	Application Date	12/16/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FI		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 1979/02/05 First Use In Commerce: 1979/02/05 educational services consisting of guided movement lessons
Attachments	85199807#TMSN.jpeg (1 page)(bytes) Petition to Cancel Registration.pdf (5 pages)(27780 bytes)

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Mark K. Suri/
Name	Mark K. Suri
Date	09/16/2011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

FELDENKRAIS GUILD OF NORTH
AMERICA,

Petitioner,

v.

KIERSTEN MARIE WITT, DBA,
FITNESS INSPIRED, LLC

Registrant.

Registration No. 3,701,308

I hereby certify that this correspondence and all marked attachments are being electronically filed with the Trademark Trial and Appeal Board through their web site located at <http://esta.uspto.gov> on September 16, 2011.

By: /Mark K. Suri/
Registration No. 36024

PETITION TO CANCEL U.S. REGISTRATION NO. 3,701,308

Pursuant to 15 U.S.C. §§ 1064, 1068, 37 C.F.R § 2.111(b), and TBMP § 309.03(d), Feldenkrais Guild of North America, an Oregon corporation having a place of business at 5436 N. Albina Avenue, Portland, Oregon 97217 (“FGNA” or “Petitioner”), believes that it is and continues to be damaged by the registration of U.S. Registration No. 3,701,308 in Class 41 for the mark FI (the “Subject Registration”), owned by Kiersten Marie Witt, dba Fitness Inspired, LLC, a Michigan limited liability corporation having an address at 401 East Broomfield, Mount Pleasant, Michigan 48858 (“Witt” or “Registrant”), and hereby petitions to cancel the same. A description of the Subject Registration is as follows:

Mark	FI
Reg. No.	3,701,308
Filing Date	October 27, 2009
Filing Basis	1(a)
Services	Class 9: Digital media, namely, DVDs and downloadable online video recordings featuring fitness and exercise. Class 25: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Hooded sweat shirts; Moisture-wicking sports shirts. Class 41: Providing a web site featuring information on exercise and fitness; Providing assistance, personal training and physical fitness consultation to individuals to help them make physical fitness, strength, conditioning, and exercise improvement in their daily living; Providing

	educational mentoring services and programs in the field of fitness, wellness, and healthy eating; Providing information in the field of exercise training.
Register	Principal

As grounds for canceling the Subjection Registration in Class 41, it is alleged as follows:

1. FGNA is a leading supplier of educational services using gentle movement and directed attention to improve movement and to enhance human functionality. These services increase ease and range of motion and improve flexibility and coordination. Since 1979, FGNA and/or its authorized licensees has continuously and regularly offered educational services consisting of guided movement lessons under the mark FI TM.
2. Among the services FGNA and/or its authorized licensees offers under the FI TM mark are educational services consisting of guided movement lessons (the “FGNA Services”). The FGNA Services are of exceptional quality.
3. Since well prior to the filing date of the U.S. Application serial No. 77/705,994 (the “Witt Application”), which matured to the Subject Registration, FGNA has offered the FGNA Services extensively throughout the United States through its authorized licensees to its students. By virtue of FGNA’s extensive and continuous use of the FI TM mark throughout the United States in educational services consisting of guided movement lessons for over 30 years, consumers readily associate services offered under the FI TM mark with FGNA. Indeed, since a date well prior to the filing of the Witt Application, the FI TM mark was recognized by consumers as identifying FGNA as the source of such services such that the primary significance of the FI TM mark to consumers is FGNA or an anonymous producer. By virtue of FGNA’s extensive and continuous use of the FI TM mark, it is a strong, distinctive mark to which FGNA has strong common law rights.

4. As FGNA has been initially refused registration for the FGNA application, Ser. No. 85/199,807 (the “FGNA Application”), based on the services in Class 41 in the Subject Registration, FGNA is and will continue to be harmed by the continued registration of the Subject Registration in Class 41. Moreover, whatever rights Witt may be entitled to by virtue of the Subject Registration conflicts with FGNA’s prior lawful and continuous use of the FI TM mark throughout the United States.

5. As the Examining Attorney reviewing the FGNA Application has held, the mark shown in the Subject Registration for services in Class 41 so resembles Petitioner’s FI TM mark previously used by FGNA and not abandoned, as to be likely, when used on or in connection with the services in Class 41 identified in the Subject Registration to cause confusion, or to cause mistake, or to deceive. Accordingly, the Subject Registration should be cancelled in Class 41 under 15 U.S.C. §§ 1052(d), 1068 as FGNA has clear priority of use.

6. By virtue of the foregoing, FGNA will be gravely damaged by the continued registration of the mark shown in the Subject Registration in Class 41.

7. By reasons of the foregoing, the Subject Registration should be partially cancelled under section 2(d) of the Trademark Act as it currently acts as a bar to the FGNA Application.

WHEREFORE, FGNA prays that the Subject Registration, U.S. Registration No. 3,701,308 be cancelled as to the services identified in Class 41 and that this partial cancellation be sustained in favor of FGNA.

Respectfully submitted,

FELDENKRAIS GUILD OF NORTH AMERICA

Dated: September 16, 2011

By: /Mark K. Suri/

Mark K. Suri
Ryndak & Suri LLP
200 West Madison Street
Suite 2100
Chicago, Illinois 60606

Attorney for Petitioner,
Feldenkrais Guild of North America

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2011, I served a copy of the foregoing
PETITION TO CANCEL U.S. REGISTRATION NO. 3,701,308 upon Registrant by
first class U.S. Mail, postage prepaid thereon, and addressed to Registrant as follows:

Kiersten Marie Witt
DBA Fitness Inspired LLC
401 E. Broomfield
Mount Pleasant MI 48858

/Mark K. Suri/
Mark K. Suri

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

FELDENKRAIS GUILD OF NORTH
AMERICA,

Petitioner,

v.

KIERSTEN MARIE WITT, DBA,
FITNESS INSPIRED, LLC

Registrant.

Cancellation No. 92054520

Registration No. 3,701,308

I hereby certify that this correspondence and all marked
attachments are being electronically filed with the Trademark
Trial and Appeal Board through their web site located at
<http://esta.uspto.gov> on October 4, 2011.

By: /Mark K. Suri/

Registration No. 36024

**NOTICE OF INEFFECTIVE SERVICE TO REGISTRANT OF
PETITION TO CANCEL U.S. REGISTRATION NO. 3,701,308**

Pursuant to the Trademark Trial and Appeal Board's ("Board") Order dated
September 19, 2011, Plaintiff hereby notifies the Board that service of the Petition on
Registrant has been ineffective. Petitioner states that on September 16, 2011, it mailed a
copy of the Petition to the following address:

Kiersten Marie Witt
DBA Fitness Inspired LLC
401 E. Broomfield
Mount Pleasant MI 48858

This is the address set forth in the Trademark Office's records for the trademark owner.
Petitioner has no further information as to the Defendant's whereabouts, but advises the
Board that prior to filing the Petition, when Petitioner sought to contact Registrant,
Petitioner received a communication from attorney Becky J. Bolles, of Hall, Lewis and
Bolles, 300 S. University Avenue, Mount Pleasant, Michigan 48858. Ms. Bolles did not
provide any further information as to Ms. Witt's whereabouts. For the Board's
convenience, a copy of the letter from Ms. Bolles is attached.

Dated: October 4, 2011

Respectfully submitted,

FELDENKRAIS GUILD OF NORTH AMERICA

By: /Mark K. Suri/

Mark K. Suri
Ryndak & Suri LLP
200 West Madison Street
Suite 2100
Chicago, Illinois 60606

Attorney for Petitioner



THOMAS W. HALL, JR.
thall@hallandlewis.com

JOHN W. LEWIS
jlewis@hallandlewis.com

BECKY J. BOLLES
bbolles@hallandlewis.com

HALL, LEWIS & BOLLES, P.C. • ATTORNEYS AT LAW

300 South University Avenue • Mt. Pleasant, MI 48858 • (989) 773-0004 • Fax (989) 772-1512

www.hallandlewis.com

September 16, 2011

Via Facsimile (312)214-7715

Mr. Mark K. Suri
Ryndak & Suri, LLP
200 West Madison Street
Suite 2100
Chicago, IL 60606

Re: *Feldenkrais Guild of North America; Mark:FI*

Dear Mr. Suri:

Thank you for the information and letter that you recently faxed me regarding the above file. Unfortunately, my client no longer has authority on to sign the agreement you are requesting with regard to the Mark 3,701,308. I apologize for any inconvenience and wish I could give you more information and/or assistance.

Very truly yours,

Hall, Lewis & Bolles, P.C.

Becky J. Bolles

BJB/sky

TTAB

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: September 19, 2011

Cancellation No. 92054520
Registration No. 3701308

77/705,994

KIERSTEN MARIE WITT
FITNESS INSPIRED
401 E BROOMFIELD
MOUNT PLEASANT, MI 48858
UNITED STATES

Feldenkrais Guild of North America

v.

Kiersten Marie Witt dba Fitness
Inspired

MARK K SURI
RYNDAK & SURI LLP
200 WEST MADISON STREET
SUITE 2100
CHICAGO, IL 60606
UNITED STATES

Clara Vela, Paralegal Specialist:

A petition to cancel the above-identified registration has been filed. A service copy of the petition for cancellation was forwarded to registrant (defendant) by the petitioner (plaintiff). An electronic version of the petition for cancellation is viewable in the electronic file for this proceeding via the Board's TTABVue system:

<http://ttabvue.uspto.gov/ttabvue/>.

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations ("Trademark Rules"). These rules may be viewed at the USPTO's trademarks page: <http://www.uspto.gov/trademarks/index.jsp>. The Board's main webpage (<http://www.uspto.gov/trademarks/process/appeal/index.jsp>) includes information on amendments to the Trademark Rules applicable to Board proceedings, on Alternative Dispute Resolution (ADR), Frequently Asked Questions about Board proceedings, and a web link to the Board's manual of procedure (the TBMP).

Plaintiff must notify the Board when service has been ineffective, within 10 days of the date of receipt of a returned service copy or the date on which plaintiff learns that service has been ineffective. Plaintiff has no subsequent duty to investigate the defendant's



10-04-2011

Ex. C

whereabouts, but if plaintiff by its own voluntary investigation or through any other means discovers a newer correspondence address for the defendant, then such address must be provided to the Board. Likewise, if by voluntary investigation or other means the plaintiff discovers information indicating that a different party may have an interest in defending the case, such information must be provided to the Board. The Board will then effect service, by publication in the Official Gazette if necessary. See Trademark Rule 2.118. In circumstances involving ineffective service or return of defendant's copy of the Board's institution order, the Board may issue an order noting the proper defendant and address to be used for serving that party.

Defendant's ANSWER IS DUE FORTY DAYS after the mailing date of this order. (See Patent and Trademark Rule 1.7 for expiration of this or any deadline falling on a Saturday, Sunday or federal holiday.) **Other deadlines the parties must docket or calendar are either set forth below (if you are reading a mailed paper copy of this order) or are included in the electronic copy of this institution order viewable in the Board's TTABVue system at the following web address: <http://ttabvue.uspto.gov/ttabvue/>.**

Defendant's answer and any other filing made by any party must include proof of service. See Trademark Rule 2.119. **If they agree to, the parties may utilize electronic means, e.g., e-mail or fax, during the proceeding for forwarding of service copies.** See Trademark Rule 2.119(b)(6).

The parties also are referred in particular to Trademark Rule 2.126, which pertains to the form of submissions. **Paper submissions, including but not limited to exhibits and transcripts of depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.**

Time to Answer	10/29/2011
Deadline for Discovery Conference	11/28/2011
Discovery Opens	11/28/2011
Initial Disclosures Due	12/28/2011
Expert Disclosures Due	4/26/2012
Discovery Closes	5/26/2012
Plaintiff's Pretrial Disclosures	7/10/2012
Plaintiff's 30-day Trial Period Ends	8/24/2012
Defendant's Pretrial Disclosures	9/8/2012
Defendant's 30-day Trial Period Ends	10/23/2012
Plaintiff's Rebuttal Disclosures	11/7/2012
Plaintiff's 15-day Rebuttal Period Ends	12/7/2012

As noted in the schedule of dates for this case, the parties are required to have a conference to discuss: (1) the nature of and basis for their respective claims and defenses, (2) the possibility of settling the case or at least narrowing the scope of claims or defenses, and (3) arrangements relating to disclosures, discovery and introduction of evidence at trial, should the parties not agree to settle the case. See Trademark Rule 2.120(a)(2). Discussion of the first two of these

three subjects should include a discussion of whether the parties wish to seek mediation, arbitration or some other means for resolving their dispute. Discussion of the third subject should include a discussion of whether the Board's Accelerated Case Resolution (ACR) process may be a more efficient and economical means of trying the involved claims and defenses. Information on the ACR process is available at the Board's main webpage. Finally, if the parties choose to proceed with the disclosure, discovery and trial procedures that govern this case and which are set out in the Trademark Rules and Federal Rules of Civil Procedure, then they must discuss whether to alter or amend any such procedures, and whether to alter or amend the Standard Protective Order (further discussed below). Discussion of alterations or amendments of otherwise prescribed procedures can include discussion of limitations on disclosures or discovery, willingness to enter into stipulations of fact, and willingness to enter into stipulations regarding more efficient options for introducing at trial information or material obtained through disclosures or discovery.

The parties are required to conference in person, by telephone, or by any other means on which they may agree. A Board interlocutory attorney or administrative trademark judge will participate in the conference, upon request of any party, provided that such participation is requested no later than ten (10) days prior to the deadline for the conference. See Trademark Rule 2.120(a)(2). The request for Board participation must be made through the Electronic System for Trademark Trials and Appeals (ESTTA) or by telephone call to the interlocutory attorney assigned to the case, whose name can be found by referencing the TTABVue record for this case at <http://ttabvue.uspto.gov/ttabvue/>. The parties should contact the assigned interlocutory attorney or file a request for Board participation through ESTTA only after the parties have agreed on possible dates and times for their conference. Subsequent participation of a Board attorney or judge in the conference will be by telephone and the parties shall place the call at the agreed date and time, in the absence of other arrangements made with the assigned interlocutory attorney.

The Board's Standard Protective Order is applicable to this case, but the parties may agree to supplement that standard order or substitute a protective agreement of their choosing, subject to approval by the Board. The standard order is available for viewing at: <http://www.uspto.gov/trademarks/process/appeal/guidelines/stndagmnt.jsp>. Any party without access to the web may request a hard copy of the standard order from the Board. The standard order does not automatically protect a party's confidential information and its provisions must be utilized as needed by the parties. See Trademark Rule 2.116(g).

Information about the discovery phase of the Board proceeding is available in chapter 400 of the TBMP. By virtue of amendments to the Trademark Rules effective November 1, 2007, the initial disclosures and expert disclosures scheduled during the discovery phase are required only in cases commenced on or after that date. The TBMP has not yet been amended to include information on these disclosures and the parties are referred to the August 1, 2007 Notice of Final Rulemaking (72 Fed. Reg. 42242) posted on the Board's webpage. The deadlines for pretrial disclosures included in the trial phase of the schedule for this case also resulted from the referenced amendments to the Trademark Rules, and also are discussed in the Notice of Final Rulemaking.

The parties must note that the Board allows them to utilize telephone conferences to discuss or resolve a wide range of interlocutory matters that may arise during this case. In addition, the assigned interlocutory attorney has discretion to require the parties to participate in a telephone conference to resolve matters of concern to the Board. See TBMP § 502.06(a) (2d ed. rev. 2004).

The TBMP includes information on the introduction of evidence during the trial phase of the case, including by notice of reliance and by taking of testimony from witnesses. See TBMP §§ 703 and 704. Any notice of reliance must be filed during the filing party's assigned testimony period, with a copy served on all other parties. Any testimony of a witness must be both noticed and taken during the party's testimony period. A party that has taken testimony must serve on any adverse party a copy of the transcript of such testimony, together with copies of any exhibits introduced during the testimony, within thirty (30) days after the completion of the testimony deposition. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing after briefing is not required but will be scheduled upon request of any party, as provided by Trademark Rule 2.129.

If the parties to this proceeding are (or during the pendency of this proceeding become) parties in another Board proceeding or a civil action involving related marks or other issues of law or fact which overlap with this case, they shall notify the Board immediately, so that the Board can consider whether consolidation or suspension of proceedings is appropriate.

ESTTA NOTE: For faster handling of all papers the parties need to file with the Board, the Board strongly encourages use of electronic filing through the Electronic System for Trademark Trials and Appeals (ESTTA). Various electronic filing forms, some of which may be used as is, and others which may require attachments, are available at <http://estta.uspto.gov>.

United States Patent and Trademark Office

Commissioner for Trademarks

P.O. Box 1451

Alexandria, VA, 22313-1451

If Undeliverable Return in Ten Days

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300

AN EQUAL OPPORTUNITY EMPLOYER

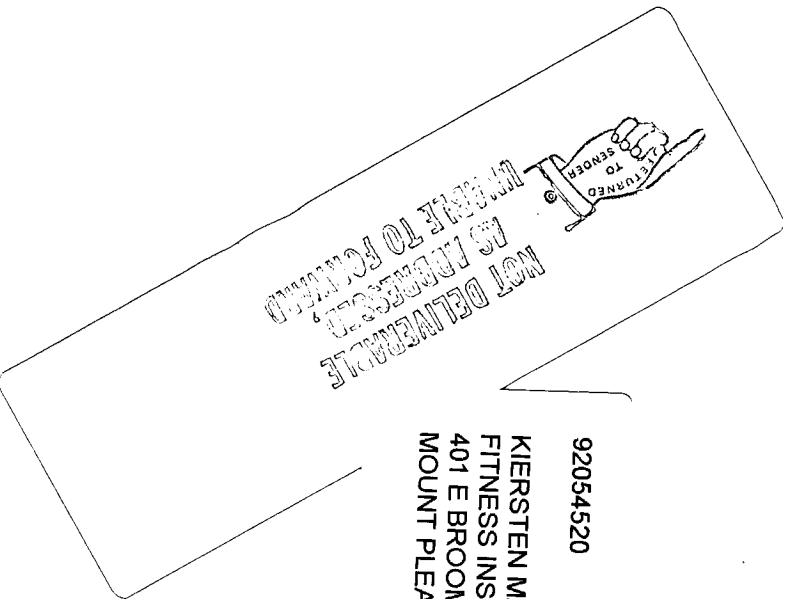
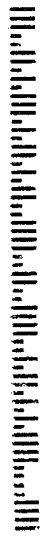
RTS

92054520

KIERSTEN MARIE WITT
FITNESS INSPIRED
401 E BROOMFIELD
MOUNT PLEASANT, MI 48858

NIXIE 2010 1 27 09/28/11

RETURN TO SENDER
UNABLE TO FORWARD
RETURN TO SENDER



UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Tdc

Mailed: November 4, 2011

Cancellation No. 92054520

Feldenkrais Guild of North
America

v.

Kiersten Marie Witt dba
Fitness Inspired

Tyrone Craven, Paralegal Specialist:

This Office has been unable to effect service of notice of this proceeding on the registrant. Accordingly, it will be necessary before proceeding herein to give notice by publication in the Official Gazette, as prescribed by Trademark Rule 2.118.

Pending such publication, proceedings herein are suspended.

Service by Publication

A petition to cancel the registration identified below having been filed, and the notice of such proceeding sent to registrant at the last known address having been returned by the Postal Service as undeliverable, notice is hereby given that unless the registrant listed herein, its assigns or legal representatives, shall enter an appearance within thirty days of this publication, the cancellation will proceed as in the case of default.

Kiersten Marie Witt dba Fitness Inspired, Mount Pleasant, MI,
Registration No. **3701308** for the mark "**FI**", Cancellation No.
92054520.

Tyrone Craven,
Paralegal Specialist:
Trademark Trial
and Appeal Board, for
Deborah S. Cohn
Commissioner for Trademarks

Scheduled for service by publication in the Official Gazette
dated November 29, 2011.